

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

GABRIEL VASQUEZ,)	
)	
Plaintiff,)	
)	
vs.)	No. CIV-10-58-C
)	
STATE OF OKLAHOMA, ex rel.)	
Department of Corrections, Lawton)	
Correctional Facility; GEO GROUP, INC.;)	
DAVID C. MILLER, WARDEN, in his)	
official and individual capacities; and)	
OKLAHOMA DEPARTMENT OF)	
CORRECTIONS MEDICAL SERVICES)	
UNIT,)	
)	
Defendants.)	

ORDER ADOPTING REPORT AND RECOMMENDATION

This matter is before the Court on the Report and Recommendation entered by United States Magistrate Judge Valerie K. Couch on August 30, 2011. The court file reflects that no party has objected to the Report and Recommendation within the time limits prescribed. Therefore, the Court adopts the Report and Recommendation in its entirety.

Accordingly, the Report and Recommendation of the Magistrate Judge (Dkt. No. 36) is adopted, Defendants GEO Group, Inc., and David C. Miller's Motion to Dismiss, construed as a motion for summary judgment, is granted on the issue of exhaustion of administrative remedies. Moreover, Defendants are entitled to dismissal pursuant to Fed. R. Civ. P. 12(b)(6) on the ground the claims raised fail to state plausible claims for

relief. The Court declines to exercise supplemental jurisdiction over Plaintiff's state law claims. A judgment shall enter accordingly.

IT IS SO ORDERED this 30th day of September, 2011.



ROBIN J. CAUTHRON
United States District Judge